

Opening, Call to Order, Roll Call, Approval of Agenda, Approval of Minutes, Election of Vice President for 2017-2018 School Year

The July 27, 2017 meeting of the State Board of Education/State Board for Vocational Education was called to order at 5 p.m. by President Loftus. The following members of the State Board were present: Dr. Dennis Loftus, President; Nina Lou Bunting, Vice President; Gregory B. Coverdale, Jr.; G. Patrick Heffernan; and Dr. Terry M. Whittaker. Secretary of Education Susan S. Bunting was present to serve as the Executive Secretary for the State Board, and the Board's Executive Director, Donna Johnson, was also present.

The agenda was approved as presented. A motion was made by Dr. Loftus and seconded by Mrs. Bunting to approve the agenda as presented. The motion carried unanimously by voice vote.

The minutes of the Board's regular meeting of June 15, 2017 were distributed prior to the meeting. A motion was made by Dr. Whittaker to approve the minutes of the Board's regular meeting. The motion was seconded by Mrs. Bunting and carried by voice vote.

Dr. Loftus noted that each year at the Board's July meeting the State Board elects one of its members to serve as Vice President. Dr. Whittaker made a motion to nominate Mrs. Nina Lou Bunting to serve as Vice President, and Mr. Heffernan seconded the nomination. Mrs. Bunting accepted the nomination, and the motion carried unanimously by voice vote.

Committee Reports and Executive Director's Update

Board members highlighted their monthly activities. Mrs. Bunting attended meetings on behalf of the Board and represented the Board at the Alliance for Excellent Education's Deeper Learning through ESSA convening the prior week. She introduced Kris Amundson, CEO/President of the National Association of State Boards of Education (NASBE), who came to the meet and greet before the meeting and subsequently thanked her for her work with State Boards across the country and her support of the Delaware Board's work and their members. Mrs. Bunting then asked former State Board President, Dr. Teri Quinn Gray, to the table and presented her with the State Board of Education Award of Excellence in recognition for her outstanding contribution to education in Delaware and her 8 years as SBE President. Dr. Gray thanked her and the rest of the Board and shared a few brief remarks.

Ms. Johnson noted the various news articles on ESSA, College Career Readiness, and the need to keep the best interests of students as the focus of policy decisions and program initiatives. She recognized members of the Youth Advocacy Council in the audience and discussed time she had spent with them on a Sunday afternoon several weeks prior discussing education issues and how they can effect change. She also shared her experiences presenting at the Alliance for Education Deeper Learning through ESSA Conference as well as the Education Commission of the States Conference and pre-session for state Board of Education directors. One of the major

topics in both of those conferences was next steps after ESSA plan approval. Of specific note were sessions on State Report Card design.

Literacy Campaign

Ms. Johnson provided an update on the Board's Literacy Campaign and announced that the Board in partnership with the United Way, Governor's Office, Department of Education, and Early Learning Council had submitted a Community Solutions Action Plan for a Grade Level Reading Campaign to the National Support Center. A response regarding the proposal is anticipated in the near future. The SBE President or designee will be a member of the Advisory Council for this campaign, which will focus on Promise Communities in Wilmington, New Castle, Dover, Felton, Seaford, Bridgeville, and Georgetown. One of the important characteristics of this campaign will be how it directly aligns with and coordinates with the work underway on strengthening early childhood education and preparation of the educators of early learners.

Legislative Session Summary

Ms. Johnson stated that the Legislative update posted on the website was up to date as of July 26th. She explained that bills filed since the June meeting had been added to the tracking chart as well as updates on the status of the bill and how it may or may not align with the State Board's Public Education Positions or Strategic Plan and Key Priorities.

Secretary's Report, Review and Discussion

Secretary Bunting gave an update on the new Office of Improvement and Innovation and the hiring of Dorrell Green to be its Director. Before accepting this position, he served as the Assistant Superintendent in the Brandywine School District. The office will initially work directly with schools in Wilmington with the goal of providing additional supports that will enhance student achievement throughout the state. He joins the Department on August 1st.

The Secretary also reported that Delaware had received the highest federal rating possible from the US Department of Education's Office of Special Education Programs following its evaluation of the state's special education services. This is a marked improvement from three years prior when the state had received a "needs intervention" rating.

The Secretary announced that she had approved the minor charter modification submitted by Design Lab High School. She also highlighted some of the results from this year's TELL survey, which included information on the opinions of over 4,000 educators related to their workplace's strengths and areas for improvement. Those results are available online at www.telldelaware.org/results

2017 Statewide Assessment Data Presentation

The Department of Education presented the 2017 Statewide Assessment data to the Board. The Chief Academic Officer, Michael Watson, and Assessment Director, Theresa Bennett, discussed the assessment data with the Board. Following the presentation of the preliminary results, the summary report was made available on the Department's website and is also linked within the Board website. The State test results show that Delaware has more students who are proficient in both math and English language arts. The participation rate on the smarter balanced assessment in grades 3 – 8 was at 99% this year and student performance gains were most notable in mathematics in grades 5, 6, and 7. While there is still work to be done to improve student performance, the Board specifically noted the improvements shown by Laurel Middle School, which is a priority school. Both Laurel Middle principal, Rick Evans, and Laurel Superintendent, Shawn Larrimore, were present at the Board meeting and received praise from the Department and the Board for the improvements made at the school. Additional information related to subgroup performance and achievement gaps, as well as comparative data from across the nation will be shared with the Board at an upcoming meeting.

Regulations - for Discussion and Action

Dr. Susan Haberstroh presented the Department regulations before the Board.

Regulation 292 - Post Secondary Institutions and Degree Granting Institutions of Higher Learning - For Discussion.

The Secretary of Education sought the consent of the State Board of Education to amend 14 DE Admin. Code 292 Post Secondary Institutions and Degree Granting Institutions of Higher Education.

The regulation is being amended to: 1) Clarify that the requirements of this regulation do not apply to Institutions of Higher Education specified in 14 Del.C. Parts II, III, and VI; 2) Add subsection 2.3 which provides that the requirements and approval process for educator preparation programs are specified in 14 DE Admin. Code 290; 3) Add Section 5.0 which specifies the criteria for obtaining the Department's approval to offer courses, programs of courses, and degrees within Delaware; 4) Amend section 7.0 to clarify the requirements for the levels of degree-granting authority approval; and 5) Add degrees to section 11.0 to clarify that Institutions of Higher Education are required to seek the Department's approval in order to offer an additional level of degree. Shana Payne, Director of the Office of Higher Education, was also present to respond to questions by the Board. The Board asked for clarification about the connection of Regulation 292 and Regulation 290; after that clarification was provided by legal counsel, there were no additional questions on the proposed changes to the regulation.

Regulation 1009 - DIAA - For Reconsideration and Action.

Action on amending this regulation did not pass at the State Board meeting in May or June. In both months, the Board asked DIAA for additional information or clarification with regard to proposed changes in the policy. In June, DIAA presented additional information about how

feedback and stakeholder engagement informed the proposed changes to the regulation. Prior to a motion being made on this regulation in July, the Secretary stated that they had clearly heard the Board's concerns and thoughts on the proposed changes. With specific reference to the practice eligibility change, Secretary Bunting stated that the Department would continue to work with DIAA and monitor this change, collect data on its impact, and bring forth updates as well as any additional changes necessary after this review. She stated the additional proposed changes in the regulation with respect to academic eligibility and school choice and asked for the Board's support in approving these proposed changes.

The Secretary of Education sought the consent of the State Board of Education to amend 14 DE Admin. Code 1009 DIAA High School Interscholastic Athletics. This regulation is being amended in consultation and cooperation with the Delaware Interscholastic Athletic Association. The regulation is being amended to add sections that specify the purpose of the transfer, passing work, and years of participation eligibility rules; clarify the transfer and years of participation rules as to eighth grade students who are eligible to participate in interscholastic athletics at the high school level; organize existing sections of the transfer rule for clarity; change the time period for the subsection that allows a student who has previously participated in interscholastic athletics to transfer one time from the first year of eligibility to the first and second years of eligibility; change the transfer options permissible under the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act, to conform to federal and state law; and eliminate the prohibition against practicing if a student is ineligible under the passing work rule.

Tommie Neubauer, Executive Director for DIAA, Laura Makransky, DAG for DIAA, Dr. Kevin Fitzgerald, Superintendent for Caesar Rodney School District and DIAA Board member, were present to address questions from the Board. After further discussion on the additional information provided, a motion was made by Mr. Coverdale to approve Regulation 1009 as presented. The motion was seconded by Dr. Loftus. The motion passed with a vote of 4 in favor of the motion (Mr. Coverdale, Mr. Heffernan, Mrs. Bunting, and Dr. Loftus) and 1 opposed (Dr. Whittaker). The Board signed the appropriate Order.

It was noted that there were additional regulations posted for the Board's information that only require approval of the Secretary of Education. Those regulations were Regulation 1202 Delaware Teacher Corps Program and Regulation 729 School Custodians.

At this point in the agenda, the Board provided an opportunity for members of the public to comment on the regulations in this section of the agenda. No Public Comment was made on regulations listed in this section of the agenda.

Charter Schools

Denise Stouffer presented the Charter items to the State Board. Mrs. Stouffer highlighted the Renewal Application timeline and process, Design Lab High School's minor modification, and the new financial responsibility training for charter board members and leaders, which will be offered online beginning in the fall. She announced that Newark Charter School received recognition by the National Association of Special Education Teachers as the NASET

Exceptional Charter School in Special Education, which is the highest honor a charter school can achieve through the professional association.

Professional Standards Board - Update and Regulatory Actions

Dr. Byron Murphy, Chairman of the Professional Standards Board, presented multiple regulations to the State Board for publication.

Regulation 1502 - Graduate Level Salary Increments - For Publication

This regulation concerns graduate level salary increments for educators pursuant to 14 Del.C. ch. 13. It was determined that the Department has the authority to promulgate regulations concerning 14 Del.C. ch. 13.

A motion to publish Regulation 1502 was made by Mrs. Bunting and seconded by Mr. Coverdale. The motion passed unanimously by voice vote.

Regulation 1505 Standard Certificate- For Publication

The regulation concerns the requirements for the issuance of a Standard Certificate. The proposed changes include replacing the word "PRAXIS™ II" with the current terminology for ETS' examinations of content knowledge (i.e., "Praxis Subject Assessment") in sections 2.0 and 4.0; striking the definitions of "Fifteen (15) Credits or Their Equivalent in Professional Development," "Major or Its Equivalent," "NASDTEC," "NCATE," and "Teaching Experience" from section 2.0 because the terms do not appear elsewhere in the regulation; amending section 3.0 to clarify the requirements for the Department to issue a standard certificate under 14 Del.C. §1220; amending section 4.0 to clarify that examinations of content knowledge are specified by the Board and State Board of Education; amending section 6.0 to clarify the requirements for applying for a standard certificate; amending section 8.0 to clarify the requirements for a standard certificate to be valid and to create a section 9.0, which applies to revocation of a standard certificate and is based on existing language, and to strike "other employing authority" from section 10.0 to be consistent with the existing definition of "Employing Authority" in section 2.0.

A motion to publish Regulation 1505 was made by Mr. Coverdale and seconded by Dr. Whittaker. The motion passed unanimously by voice vote.

Regulation 1553 Driver Education and Traffic Safety Education Teacher -For Publication

The regulation concerns the requirements for a Standard Certificate for Driver Education and Traffic Safety Education Teacher. The proposed changes include adding a Standard Certificate issued prior to August 31, 2003 to satisfy the requirement under subsection 3.1.1 to be consistent with 14 DE Admin. Code 1505 Standard Certificate; adding "Technology and Teaching Driver's Education" under subsection 4.1.1.7 to allow educators an additional, optional area of professional development; and adding subsection 4.4 to specify that educators are not required to take an examination of content knowledge for this Standard Certificate.

A motion to publish Regulation 1553 was made by Mrs. Bunting, and seconded by Mr. Heffernan. The motion passed unanimously by voice vote.

Regulation 1562 Teachers of English Learners - For Publication

This regulation shall apply to the issuance of a Standard Certificate, pursuant to 14 Del.C. §1220(a). It was necessary to review this regulation in order to include the applicable content-readiness exam required for this certification. The Professional Standards Board recommended the adoption of this assessment, which is designed to measure whether entry-level teachers of English Language Learners have the standards-relevant knowledge, skills, and abilities believed necessary for competent professional practice. The 5362 Praxis II test, a passing score, and an effective date are before the State Board for approval.

The Professional Standards Board has voted to approve a passing score of a 149 on the 5362 Praxis test, with an effective date of July 1, 2017 and with a mandatory revisit in February 2018.

A motion to publish Regulation 1562 was made by Mrs. Bunting and seconded by Mr. Heffernan. The motion passed unanimously by voice vote.

The following regulations are being amended to add the previously approved assessment scores necessary for certification directly into the regulation.

Regulation 1520 Early Childhood Teacher - For Publication

Regulation 1531 Middle Level English Language Arts Teacher - For Publication

Regulation 1532 Middle Level Mathematics Teacher - For Publication

Regulation 1533 Middle Level Science Teacher - For Publication

Regulation 1534 Middle Level Social Studies Teacher - For Publication

Regulation 1539 Middle Level/Secondary Health Education Teacher - For Publication

Regulation 1540 Secondary English Language Arts Teacher - For Publication

Regulation 1542 Secondary Mathematics Teacher - For Publication

Regulation 1544 Secondary Social Studies Teacher - For Publication

Regulation 1550 AgriScience Teacher - For Publication

Regulation 1551 Business Education Teacher - For Publication

Regulation 1554 Family and Consumer Sciences Teacher - For Publication

Regulation 1555 Marketing Education Teacher - For Publication

Regulation 1557 Technology Education Teacher - For Publication

The motion was made by Mr. Heffernan and seconded by Mr. Coverdale. The motion passed unanimously by voice vote.

It was noted that there was no one signed up for Public Comment on these regulations, and no one in the audience announced a request to make comment on the regulations at this time on these regulations listed above.

Formal Public Comment

Three individuals signed up to address the board. At 7:20 p.m., the Formal Public Comment session began.

Bill Doolittle voiced his concern about the state of education in Delaware. Mr. Doolittle expressed concern about the at risk students in Delaware and made comments about the need for equitable and available education for the children of Delaware. Mr. Doolittle urged for collaboration between stakeholders and members of the Board.

Kendall Massett, Executive Director, Delaware Charter Schools Network, provided a brief overview of her experience with the State Board and commended members for their engagement and belief in children. She emphasized the importance of Trauma Informed Practices and referenced a training that she had attended on this matter earlier in the day. She also suggested training on trauma informed practices would be beneficial for all Boards of Education.

Mike Matthews was recently elected President of DSEA. He addressed the Board and formally introduced himself, greeted Dr. Loftus, and offered some suggestions on how the SBE can work with DSEA to make sure every child receives a quality education. Mr. Matthews focused on school funding, early childhood education, and educator diversity.

Appeals and Reviews

A motion was made by Dr. Loftus for the State Board to go into Executive Session for the purposes of considering a student appeal and the student's pupil file. The motion was seconded by Dr. Whittaker and carried unanimously by voice vote. The Board entered into Executive Session at 7:30 p.m.

Deputy Attorney General Valerie Dunkle provided the State Board with the appropriate information on the appeal.

The Board returned to open session at 7:41 p.m.

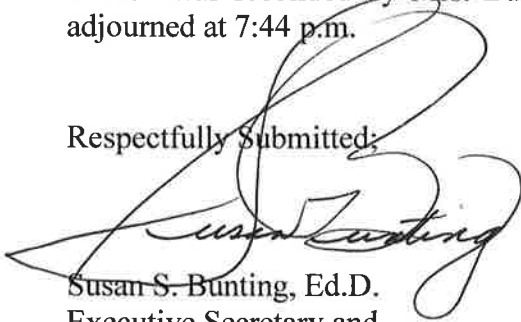
A motion was made by Mr. Heffernan to accept the proposed Decision and Order of the Hearing Office and adopt the same as the Decision and Order of the State Board. The motion was seconded by Mr. Coverdale and carried unanimously by voice vote. The Board signed the appropriate Order.

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Ms. Dunkle provided the State Board with an update on the other appeal listed on the agenda. She noted that the petitioner had withdrawn the appeal Student v. Capital.

Since there was no further business, a motion was made by Dr. Loftus to adjourn the meeting. The motion was seconded by Mrs. Bunting and carried unanimously by voice vote. The meeting adjourned at 7:44 p.m.

Respectfully Submitted;

A large, stylized handwritten signature in black ink, which appears to read "Susan S. Bunting". The signature is written over the "Respectfully Submitted;" text and extends to the right, partially overlapping the typed name.

Susan S. Bunting, Ed.D.
Executive Secretary and
Secretary of Education